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SUBJ: GUINEA - Burkinabe Mediation To Continue Negotiating Process

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Classified by Charge d'Affaires Dennis Hankins for reasons 1.4 (b and d)

11. (C) Summary: President Compaore and his team have convinced the CNDD and Forces Vives to continue negotiations of a Guinea agreement. Both sides are expected to formally comment on last week's mediation "discussion paper" on November 23 with a third round of proximity talks planned in Ouagadougou not later than November 26. Western diplomats underscored to inherent failings of the "discussion paper" which the Burkinabe said would be addressed -- all the while suggesting that a solution will almost certainly need to include Dadis in some capacity through the transition. The Burkinabe have left the door open for some form of observer mission in any future transition. End Summary

12. (C) Foreign Minister Convores Western Diplomats: Foreign Minister Bedouma Alain Yoda convoked Western heads of mission (Dutch (representing the EU Presidency), French, German, European Commission, and U.S. Charge) to discuss the status of President Compaore's mediation efforts on Guinea. As noted REFTEL, Compaore had come under tremendous press criticism when the Guinean parties publicized last week's mediation "discussion paper" as a formal "proposal" that effectively would have legitimated Dadis' short and long term role as Guinean head of state. Mission sources report a crisis mode in the Foreign Ministry over the weekend as the Burkinabe struggled to get things back on track. With an obvious sensitivity to the criticisms made of his president, the Foreign Minister started the meeting with a lengthy rehash of the various Contact Group meetings that had resulted in President Compaore being asked to assume a mediation role in Guinea. Yoda further stressed that the President was not acting in isolation, but in strict collaboration with ECOWAS, the AU and the UN. Yoda said Burkina Faso "wishes to be transparent with its partners, but also wanted the partners to be aware of the limitations on the mediation."

13. (C) Guineans Back With The Plan: Foreign Minister Yoda said the Burkinabe had worked through Saturday to get the two parties to understand that the document they had alternately "accepted" and "rejected" was not a mediation "proposal" but simply a "discussion paper" designed to get them to focus on areas of agreement and disagreement (Comment: The Foreign Ministry shared French and English versions of the document and its Annex which has been sent to Embassy Conakry and AF/W. End Comment). Yoda suggested neither side had carefully studied the paper in its entirety previously -- instead zeroing in only on the phrases most important to them. The Forces Vives was cited as particularly difficult, "because it is not a party -- rather a collection of parties, unions, and civil society -- all of who have different specific interests." Nonetheless, Yoda said that by Saturday evening Compaore had been able to get both sides committed to staying engaged in the mediation process and had "received a reiteration of their confidence in and support of the mediator." Both sides are now expected to come back with written comments on the "discussion paper" by the afternoon of the 23rd. He said he understood the CNDD would have nine points of disagreement and the Forces Vives two main objections. The parties will return to

Ouagadougou no later than November 26 for another round of proximity talks. At this meeting, Compaore will provide a new "discussion paper" meant to address issues raised by both sides. Yoda said Compaore's strategy is to continue this series of Draft - Response - New Draft for as many rounds as needed to get to something that can work. Yoda saw three main phases: (1) setting conditions of "serenity" allowing a transition to take place, (2) the transition itself; and, (3) elections and their aftermath.

14. (C) Diplomats State the Obvious: The Dutch Ambassador backed by the French Ambassador told Yoda they could clearly understand where the Forces Vives found the text of the discussion paper unacceptable.

Both setting Dadis up as Head of State during the transition with both executive and legislative power, and allowing Dadis to present his candidacy for president with a theoretical absence of only four months do not set the conditions of confidence needed for free and fair elections. The French ambassador noted, "Having the person in charge of maintaining 'serenity' also being a potential candidate," seems untenable. The European Commission Representative asked, "Why do you have to give Dadis 'a flower' by making him Head of State. Yoda struggled somewhat but emphasized that the terms of the agreement would certainly change but then went on to talk about political realities as they saw it. "The President told both sides a solution will require sharing power during a transition -- the CNDD will have to yield some control to the Force Vives and the Forces Vives will have to accept a lingering CNDD power." Yoda went on, somewhat unconvincingly, to say the mediation had to deal with forces, not individuals, suggesting that the language in the "discussion paper" saying "The President shall come from the CNDD," did not presuppose that the CNDD would select Dadis. As for the eligibility of transition figures to run for President, Yoda noted the basic conundrum that "the same people (CNDD and Force Vives)

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needed to give any transition credibility, also have their own political ambitions."

15. (C) Transition Institutions: Yoda asked the diplomats to carefully examine the paper that had been put forth to see that it was, in fact, the Prime Minister (to be proposed by the Force Vives) as head of the Council of Ministers who would have the power in the transition with the President "just signing off on decisions of the Council." The French Ambassador (working it seemed without guidance) engaged in several detailed questions of (1) why the executive and legislative authorities were combined? (Answer: Since the mediation is dealing with an "exceptional circumstance," the traditional division of institutions would prove divisive and threaten a successful transition); (2) Why is there a need for a President at all if the Prime Minister supposedly has the power? (Answer: A "Head of State" is essential in the African context. With no "leader," the government has no credibility; and, (3) If Dadis has to be given a transition role, can it be in a more "advisory" role with no executive authority? (Answer: Perhaps). Comment: The French Ambassador's points did make clear a reluctant French willingness to accept a transition role for Dadis, and perhaps run for president, all the while trying to ensure he is defanged during that transition. End Comment.

16. (C) Observer Mission: Charge told Yoda the U.S. shared the substantive concerns raised by his European colleagues over Dadis as president during the transition and his ability to present his candidacy for the presidential elections. Charge asked whether President Compaore was prepared to support an ECOWAS observer mission, perhaps along the lines of the 2005 ECOWAS Mission in Togo. Yoda replied that the CNDD would clearly reject an interpositional force but that an observer mission might still be possible. He noted that the discussion paper had called for an Oversight and Evaluation Committee headed by the mediator that would be "assisted by an International Observer Group." While that "Group" remains intentionally undefined, Yoda saw it as leaving the door open for an ECOWAS observer mission.

17. (U) Conakry Minimize Considered.

HANKINS